

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF PENNSYLVANIA**

GEORGE ZAMIAS, ESTATE OF
MARIANNA ZAMIAS, DECEASED,
DAMIAN ZAMIAS, individually and
as co-executor of the Estate of
Marianna Zamias, STEPHEN
ZAMIAS, individually and as co-
executor of the Estate of Marianna
Zamias, ESTATE OF SAMUEL
ZAMIAS, DECEASED, Kathleen
Zamias, Executor,

Plaintiffs,

v.

FIFTH THIRD BANK,

Defendant.

Civil Action No. 3:17-CV-00153-KRG

**DEFENDANT FIFTH THIRD BANK'S MOTION
TO STRIKE PLAINTIFFS' AMENDED COMPLAINT**

Pursuant to Federal Rules of Civil Procedure 12(f) and 15(a)(2), as well as this Court's inherent authority to manage its own docket, Defendant Fifth Third Bank ("Fifth Third") hereby moves to dismiss and/or strike Plaintiffs' amended complaint (Dkt. 28) because it was filed in violation of this Court's scheduling order and Rule 15(a)(2). Alternatively, Fifth Third asks the Court to grant Fifth Third leave to file a motion to dismiss Plaintiffs' amended complaint pursuant to Civil Rule 12(b)(6). A memorandum in support and proposed order are attached hereto.

Dated: February 21, 2018

Respectfully submitted,

/s/ Nathan L. Colvin

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